

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Cr. No. 02-10113-RGS

UNITED STATES OF AMERICA	)	VIOLATIONS:
v.)	
1. DIOMEDES ANZIANI	)	21 U.S.C. § 846 -
2. LUIS E. RODRIGUEZ	)	Conspiracy to Possess
3. JOSE MIGUEL HICIANO AMARO	)	Heroin with Intent
4. JOHNNY CIRIACO	)	to Distribute
5. RAMON ANZIANI	)	21 U.S.C. § 841-
6. PEDRO MARTINEZ	)	Possession of Heroin with
7. ANGEL MATOS	)	Intent to Distribute and
8. ELISON ANZIANI	)	Distribution of Heroin
9. RAFAEL CORTIJO	)	21 U.S.C. § 843(b) -
10. ARCHIE DESROSIERS	)	Use of Communication Facility
11. ROBERT DAVIS	)	in Furtherance of a
12. RYAN CASSAVECHIA	)	Controlled Substances Offense
13. CHRISTY WANAGER)	
14. CHRISTOPHER JOHNSON)	
15. ALANDA DOWNS	)	18 U.S.C. § 2-Aiding and
16. MICHAEL BODGE	)	Abetting
17. FRANK MCQUADE)	
18. SHANNAH VIGUE)	
19. MATTHEW STONE)	
20. MELANIO ALMONTE)	
21. JONATHAN GARCIA)	
22. CRISTIAN GARCIA)	
23. JUAN A. HERNANDEZ ORTIZ)	
24. FNU LNU,)	
a/k/a "Frenery,")	
a/k/a "Frank")	
25. DANIEL ORTIZ)	
26. FNU LNU,)	
a/k/a "Vitin")	
27. FNU LNU,)	
a/k/a "Pineo")	
a/k/a "Yoel Rodriguez")	
a/k/a "Osvaldo Guerrero")	
28. FNU LNU, a/k/a "Dario")	
a/k/a "Miguel Garcia")	
29. WILLIAM FELIZ,)	
a/k/a "William Felix")	

FOURTH SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Possess Heroin with Intent to Distribute and to Distribute Heroin)

The Grand Jury charges that:

From a date unknown to the United States, but from at least May 16, 2001, and continuing thereafter until on or about April 2, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,
5. RAMON ANZIANI,
7. ANGEL MATOS,

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury to possess with intent to distribute, and to distribute, heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the conspiracy charged in Count One involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(i) applies to this Count.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 846 - Conspiracy to Possess Heroin With Intent to Distribute and to Distribute Heroin)

The Grand Jury further charges that:

From a date unknown to the United States, but from at least December 19, 2001, and continuing thereafter until on or about March 22, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,
21. JONATHAN GARCIA,
24. FNU LNU,
a/k/a "Frenery,"
a/k/a "Frank,"
27. FNU LNU,
a/k/a "Pineo,"
a/k/a "Yoel Rodriguez"
a/k/a "Osvaldo Guerrero"
29. WILLIAM FELIZ,
a/k/a "William Felix,"

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the United States to possess with intent to distribute, and to distribute, heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the conspiracy charged in Count Two involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(i) applies to this Count.

All in violation of Title 21, United States Code, Section 846.

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. The defendant RAMON ANZIANI is accountable for at least 1 kilogram, but not more than 3 kilograms, of heroin.

Accordingly, 21 U.S.C. § 841(b)(1)(B) and USSG §2D1.1(c)(4) apply.

2. The defendant RAMON ANZIANI was an manager or supervisor of a criminal activity that involved five or more participants or was otherwise extensive. Accordingly, USSG §3B1.1(b) applies to this defendant.

3. The defendant FNU LNU, a/k/a PINEO, a/k/a YOEL RODRIGUEZ, a/k/a OSVALDO GUERRERO is accountable for at least 100 grams, but not more than 400 grams, of heroin. Accordingly, 21 U.S.C. § 841(b)(1)(B) and USSG §2D1.1(c)(7) apply.

4. The defendant WILLIAM FELIZ, a/k/a WILLIAM FELIX is accountable for at least 700 grams, but no more than 1 kilogram of heroin. Accordingly, USSG §2D1.1(c)(5) applies.

A TRUE BILL

Patricia Kotska
FOREPERSON OF THE GRAND JURY

~~RACHEL E. HERSHFANG
JOHN A. WORTMANN, Jr.
Assistant U.S. Attorney~~

DISTRICT OF MASSACHUSETTS

September 16, 2004.

Returned into the District Court by the Grand Jurors and filed.

DRoland
Deputy Clerk
11:44A

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: <u>Methuen</u>	Category No. <u>I</u>	Investigating Agency <u>DEA</u>
City <u>METHUEN</u>	Related Case Information:	
County <u>ESSEX</u>	Superseding Ind./ Inf. <input checked="" type="checkbox"/>	Case No. <u>02-10113-RGS</u>
	Same Defendant <input checked="" type="checkbox"/>	New Defendant _____
	Magistrate Judge Case Number <u>02-1619-CBS; 01-00042, 50</u>	
	Search Warrant Case Number <u>02-1621-CBS</u>	
	R 20/R 40 from District of _____	

Defendant Information:

Defendant Name <u>JOHNNY CIRIACO</u>	Juvenile: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Alias Name _____		
Address _____		
Birthdate: _____ SS # _____	Sex: _____ Race: _____	Nationality: _____
Defense Counsel if known: _____	Address: _____	
Bar Number: _____	_____	

U.S. Attorney Information:

AUSA <u>Rachel E. Hershfang</u>	Bar Number if applicable: _____	
Interpreter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	List language and/or dialect: <u>Spanish</u>	
Matter to be SEALED: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<input checked="" type="checkbox"/> Warrant Requested	<input type="checkbox"/> Regular Process	<input type="checkbox"/> In Custody

Location Status:

Arrest Date: _____

Already in Federal Custody as of _____ in _____
 Already in State Custody at _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 2 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: See Exhibit

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JOHNNY CIRIACO**U.S.C. Citations**

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1, 3</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____
ADDITIONAL INFORMATION: _____		

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Methuen

Category No. I

Investigating Agency

DEA

City METHUEN

Related Case Information:

County ESSEX

Superseding Ind./ Inf. X Case No. 02-10113-RGS
 Same Defendant X New Defendant
 Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
 Search Warrant Case Number 02-1621-CBS
 R 20/R 40 from District of _____

Defendant Information:

Defendant Name RAMON ANZIANI

Juvenile:

 Yes No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: Melvin Norris Address _____

Bar Number _____

U.S. Attorney Information:

AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: SpanishMatter to be SEALED: Yes NoWarrant Requested Regular Process In Custody

Location Status:

Arrest Date 4/2/02x Already in Federal Custody as of 4/2/02 in D.Ma. Already in State Custody at _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____ Signature of AUSA: DeeDee

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant RAMON ANZIANI

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____
ADDITIONAL INFORMATION: _____		

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Methuen

Category No. I

Investigating Agency

DEA

City METHUEN**Related Case Information:**County ESSEX

Superseding Ind./ Inf. X Case No. 02-10113-RGS
 Same Defendant X New Defendant
 Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
 Search Warrant Case Number 02-1621-CBS
 R 20/R 40 from District of _____

Defendant Information:Defendant Name ANGEL MATOS

Juvenile:

 Yes No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: SpanishMatter to be SEALED: Yes No Warrant Requested Regular Process

In Custody

Location Status:

Arrest Date _____

Already in Federal Custody as of _____ in _____
 Already in State Custody at _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: Rachel E. Hershfang

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: <u>Methuen</u>	Category No. <u>I</u>	Investigating Agency <u>DEA</u>
City <u>METHUEN</u>	Related Case Information:	
County <u>ESSEX</u>	Superseding Ind./ Inf. <u>X</u>	Case No. <u>02-10113-RGS</u>
	Same Defendant <u>X</u>	New Defendant _____
	Magistrate Judge Case Number <u>02-1619-CBS; 01-00042, 50</u>	
	Search Warrant Case Number <u>02-1621-CBS</u>	
	R 20/R 40 from District of _____	

Defendant Information:

Defendant Name <u>JONATHAN GARCIA</u>	Juvenile: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Alias Name _____		
Address _____		
Birthdate: _____ SS # _____	Sex: _____ Race: _____	Nationality: _____
Defense Counsel if known: _____	Address: _____	
Bar Number: _____	_____	

U.S. Attorney Information:

AUSA <u>Rachel E. Hershfang</u>	Bar Number if applicable: _____	
Interpreter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	List language and/or dialect: <u>Spanish</u>	
Matter to be SEALED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<input checked="" type="checkbox"/> Warrant Requested	<input type="checkbox"/> Regular Process	In Custody

Location Status:

Arrest Date: _____

Already in Federal Custody as of _____ in _____
 Already in State Custody at _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 2 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: Rachel E. Hershfang

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JONATHAN GARCIA

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1, 3</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____
ADDITIONAL INFORMATION: _____		

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: MethuenCategory No. IInvestigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGSSame Defendant X New Defendant _____Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50Search Warrant Case Number 02-1621-CBS

R 20/R 40 from District of _____

Defendant Information:Defendant Name FNU MNU LNU Juvenile: Yes NoAlias Name "FRENEY" "FRANK"

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: SpanishMatter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date _____

 Already in Federal Custody as of _____ in _____ Already in State Custody at _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: Rachel Hershfang

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant FNU LNU, a/k/a "FRENEY," a/k/a "FRANK"

U.S.C. Citations

Index Key/Code	Description of Offense Charged	Count Numbers
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>3</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____
ADDITIONAL INFORMATION: _____		
_____	_____	_____
_____	_____	_____
_____	_____	_____

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Lowell

Category No. I

Investigating Agency

DEA

City Lowell, Lawrence

Related Case Information:

County Middlesex, Essex

Superseding Ind./ Inf. X Case No. 02-10113-RGS
 Same Defendant X New Defendant
 Magistrate Judge Case Number 02-1619-1643-1748-CBS
 Search Warrant Case Number 02-1621-CBS
 R 20/R 40 from District of _____

Defendant Information:

Defendant Name William Felix

Juvenile:

 Yes No

Alias Name William Feliz

Address _____

Birthdate: _____ SS # _____ Sex: M Race: _____ Nationalit _____

Defense Counsel if known: _____

Address _____

Bar Number _____

U.S. Attorney Information:

AUSA Rachel E. Hershfang, 748-3249

Bar Number if applicable _____

Interpreter: Yes No

List language and/or dialect: _____

Spanish _____

Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date January 14, 2003

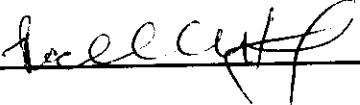
Already in Federal Custody as of _____ in _____
 Already in State Custody at _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by: MJ, EDNY on Jan. 15, 2003

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant _____

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. 846</u>	<u>Conspiracy to possess with intent to distrib. heroin</u>	<u>3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Methuen Category No. I Investigating Agency DEA

City METHUEN**Related Case Information:**County ESSEX

Superseding Ind./ Inf. X Case No. 02-10113-RGS
 Same Defendant X New Defendant _____
 Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
 Search Warrant Case Number 02-1621-CBS
 R 20/R 40 from District of _____

Defendant Information:Defendant Name FNU MNU LNU Juvenile: Yes X NoAlias Name "PINEO" "YOEL RODRIGUEZ" "OSVALDO GUERRERO"

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: SpanishMatter to be SEALED: Yes X NoWarrant Requested Regular Process In Custody**Location Status:**

Arrest Date _____

Already in Federal Custody as of _____ in _____
 Already in State Custody at _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: Rachel E. Hershfang

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant FNU LNU, a/k/a "PINEO" a/k/a "YOEL RODRIGUEZ" a/k/a "OSVALDO GUERRERO"**U.S.C. Citations**

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>3</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: _____